

REMARKS

Claims 1-45 are pending in the application.

The Office Action rejected claims 1-13, 15-27 and 32-44 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,446,890 to Renslo et al. ("Renslo") in view of U.S. Patent No. 5,778,049 to Young et al. ("Young").

Obviousness under § 103(a) requires that the references teach or suggest a combination that would make the claimed invention obvious to one of ordinary skill in the art. The combined teachings of Renslo and Young fail to render the claimed subject matter obvious.

The Office Action mistakenly stated that the element in claim 1 "creating a pre-defined ratio planning report template, wherein said report template includes a coefficient of variation field" corresponded to figure 9 of Renslo. In contrast to claim 1, Figure 9 is "an access screen used for reviewing past forecasts". (Renslo, col. 2, lines 31-32). Figure 9 of Renslo shows an access screen, not a template, and it is not for planning, but for reviewing past forecasts.

Furthermore, the proposed combination of Renslo and Young results in an inoperative device and, thus, teaches away from the combination and not rendering the claimed invention obvious. The Office Action proposed incorporating the "service engineering templates (SETs)" of Young into Renslo to teach the element "input to said pre-defined ratio planning report includes said report template" in claim 1. However, "[e]ach SET comprises data pertaining to the deployment, installation, performance, maintenance, service and testing of telecommunications service." (Young, col. 6, lines 3-5). Renslo produces reports showing forecasts of product demand from input such as revenue and price. (Renslo, figures 5 and 10; col. 3, lines 53-55). Revenue and price are not part of the SETs of Young. Young is generally directed to a centralized information system pertaining to deployment, installation, performance, maintenance, service, and testing of telecommunications products and services. (Young, col. 1, lines 6-10). Therefore, without the revenue and price data, a report, such as figure 10 of Renslo could not be produced.

Claims 2-13 depend directly or indirectly from claim 1 and, thus inherit the patentable subject matter of claim 1 and include additional elements. Therefore, claims 2-13 are also patentable over the combination of Renslo and Young. For the same reasons as given with respect to claim 1, claims 15 and 32 are also patentable. Claims 16-27 depend directly or indirectly from claim 15 and, thus inherit the patentable subject matter of claim 15 and include additional elements. Therefore, claims 16-27 are also patentable over the combination of Renslo and Young. Claims 33-44 depend directly or indirectly from claim 32 and, thus inherit the patentable subject matter of claim 32 and include additional elements. Therefore, claims 33-44 are also patentable over the combination of Renslo and Young.

The Office Action rejected claims 14, 28 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Renslo in view of Young, and further in view of U.S. Patent No. 6,671,689 to Papierniak ("Papierniak").

Claims 14, 28, and 45 depend directly or indirectly from claims 1, 15, and 32 respectively. Therefore, claims 14, 28, and 45 are patentable over the combination of Renslo and Young for the reasons given above. In addition, adding Papierniak does not make the inoperative combination of Renslo and Young operable. Therefore, claims 14, 28, and 45 are patentable over the combination of Renslo, Young, and Papierniak.

For all the reasons advanced above, it is respectfully submitted that the application is in condition for allowance. Accordingly, reconsideration and allowance of the claims are respectfully requested. The Examiner is cordially requested to telephone, if the Examiner believes that it would be advantageous to the disposition of this case.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment, which may be required for this amendment, to Deposit Account No. 50-0510. In the event that an extension of time is required, or may be required in addition to that requested in any petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-0510.

Respectfully submitted, .

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